## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

GARRY BAKER,	)	
	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	Case No. 3:08-1227
	)	Judge Echols
TENNESSEE DEPARTMENT OF	)	
CORRECTIONS, et al.,	)	
	)	
Defendants.	)	

## **ORDER**

For the reasons set forth in the accompanying Memorandum, the Court hereby enters the following rulings:

- (1) The Report and Recommendation ("R & R") of the Magistrate Judge (Docket Entry No. 43) is hereby ACCEPTED and APPROVED and Defendants Tennessee Department of Corrections, the Northwest Corrections Facility Medical Services Unit, the Cheatham County Sheriff's Department Medical Unit, and the Cheatham County Sheriff's Medical Department and Medical Services Unit Administrator John Doe are hereby DISMISSED WITHOUT PREJUDICE for failure to effect service as required by Rule 4(m) of the Federal Rules of Civil Procedure;
- (2) The Motion for Summary Judgment filed by Defendant Cheatham County (Docket Entry No. 29) is hereby GRANTED and the claims against Defendant Cheatham County and/or the Cheatham County Sheriff's Department are hereby DISMISSED WITH PREJUDICE; and
- (3) The Motion to Dismiss filed by Defendant Tony Parker (Docket Entry No. 31) is hereby GRANTED and that Defendant is hereby DISMISSED WITHOUT PREJUDICE.

This case is hereby returned to the Magistrate Judge for further pretrial case management in accordance with Local Rule 16.01.

It is SO ORDERED.

ROBERT L. ECHOLS

UNITED STATES DISTRICT JUDGE